

109TH CONGRESS  
2D SESSION

# S. 3482

To provide for the establishment of a volunteer corps to aid in the dissemination and distribution of vaccines and other countermeasures during a public health emergency.

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## IN THE SENATE OF THE UNITED STATES

JUNE 8, 2006

Mr. HARKIN (for himself and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide for the establishment of a volunteer corps to aid in the dissemination and distribution of vaccines and other countermeasures during a public health emergency.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Volunteer Vaccine and  
5       Countermeasure Corps Development Act of 2006”.

1 **SEC. 2. VOLUNTEER VACCINE AND COUNTERMEASURE**  
2 **CORPS.**

3 (a) ESTABLISHMENT.—The Secretary of Health and  
4 Human Services (referred to in this section as the “Sec-  
5 retary”) shall establish a Volunteer Vaccine and Counter-  
6 measures Corps (referred to in this section as the  
7 “Corps”) to facilitate the distribution and provision of  
8 vaccines, or other biological, chemical, or nuclear counter-  
9 measures, to individuals under any influenza vaccination  
10 program, or other countermeasure distribution program  
11 established by the Secretary or a State or local entity.

12 (b) ACTIVATION AND ASSIGNMENT OF MEMBERS.—

13 (1) ACTIVATION.—

14 (A) MANNER OF ACTIVATION.—The mem-  
15 bers of the Corps shall be activated in one of  
16 the following manners:

17 (i) By the Secretary upon a declara-  
18 tion by the Secretary of a public health  
19 emergency under section 319 of the Public  
20 Health Service Act (42 U.S.C.  
21 247d) related to an influenza outbreak (in-  
22 cluding a seasonal outbreak) or other pub-  
23 lic health emergency.

24 (ii) By the declaration of a State.

25 (iii) By the declaration of a qualified  
26 entity, as defined in subsection (g).

(B) NON-EMERGENCY FUNCTIONS.—Activation of the Corps is not required for the Corps to carry out non-emergency functions, including training, recruitment and retention of volunteers, participation in State and local planning, or other activities determined appropriate by the Secretary.

(C) NOTIFICATION.—In order to facilitate cooperation between all levels of government in response to an emergency, when activated under this section in response to a Federal or State declaration, or by the qualifying entity, the qualifying entity shall notify—

(i) the Secretary;

(ii) the governor or governors of the State or States in which the Corps shall be activated or deployed; and

(iii) the local governments of the county or counties in which the Corps will reside or be deployed.

(2) MEMBERSHIP THROUGH QUALIFIED ENTITIES.—

(A) IN GENERAL.—A volunteer may apply for membership in the Corps through a qualified entity.

1 (B) REQUIREMENTS.—A qualified entity  
 2 shall carry out education and training activities  
 3 and maintain pertinent information as required  
 4 under subsection (c)(2).

5 (C) USE.—Upon completion of any train-  
 6 ing, certification, or other qualifying processes  
 7 determined appropriate by the Secretary, mem-  
 8 bers of the Corps may be used by qualified enti-  
 9 ties to carry out activities under a National,  
 10 State, or local influenza vaccination program,  
 11 or other countermeasure distribution program  
 12 as determined appropriate by the Secretary.

13 (3) REQUESTS.—The Secretary or governor of  
 14 a State may request assignment of members of the  
 15 Corps from a State or territory to participate in a  
 16 vaccination program or countermeasure distribution  
 17 program of another State or territory. The Secretary  
 18 shall enter into agreements with such States to ac-  
 19 cept licensure and certification from such other  
 20 States for the purpose of carrying out activities  
 21 under an influenza vaccination program.

22 (c) PARTICIPATION.—

23 (1) ELIGIBILITY.—An appropriately  
 24 credentialed (licensed or certified) health profes-  
 25 sional, including a retired health professional, or

1 other individual serving in an auxiliary or support  
2 capacity, including retired military personnel, police,  
3 emergency medical service personnel, or other volun-  
4 teers as determined appropriate by the Secretary,  
5 shall be eligible to participate in the Corps under  
6 procedures established by the Secretary and after  
7 successfully completing an approved training course  
8 developed by the Secretary. Nothing in this para-  
9 graph shall be construed to preclude an entity from  
10 receiving financial, legal, and other technical assist-  
11 ance from a volunteer that is not certified as a  
12 Corps member.

13 (2) DATABASE.—The Secretary, in cooperation  
14 and consultation with States and qualifying entities,  
15 shall establish guidelines for the collection and main-  
16 tenance of data relating to Corps members by quali-  
17 fying entities. Such database shall—

18 (A) with respect to each Corps member, in-  
19 clude contact information, appropriate licensure  
20 or certification information, and other informa-  
21 tion the Secretary determines necessary to per-  
22 form the activities of the Corps;

23 (B) be accessible to qualifying entities,  
24 States, the Secretary, or other entities deter-

1           mined appropriate by the Secretary, for use in  
2           the performance of duties of the Corps; and

3           (C) be interoperable with the Emergency  
4           System for the Advance Registration of Volun-  
5           teer Health Professionals, the National Disaster  
6           Medical System, the Medical Reserve Corps,  
7           and other databases determined appropriate by  
8           the Secretary.

9           (3) NATIONAL IDENTIFICATION.—The Sec-  
10          retary, in cooperation and consultation with the  
11          States, shall develop a National Identification Card  
12          that describes the health-related licensure and cer-  
13          tification information of Corps members, as well as  
14          other identifying information determined by the Sec-  
15          retary to facilitate the use of Corps members in  
16          States other than the State in which such members  
17          reside. Such identification and certification informa-  
18          tion shall be cross-referenced with the database es-  
19          tablished under paragraph (2), and shall be updated  
20          on a regular basis to ensure that the information in  
21          the database is as current as is practicable.

22          (d) GRANTS.—

23               (1) IN GENERAL.—The Secretary shall award  
24          grants to qualified entities for the following pur-  
25          poses:

1 (A) To provide training through State and  
2 local health care facilities and networks to fa-  
3 cilitate, execute, and maintain mechanisms for  
4 the distribution of vaccines and other biological  
5 countermeasures, including mass vaccination  
6 exercises designed to increase access to seasonal  
7 influenza vaccine by priority populations and  
8 encourage late-season vaccination with seasonal  
9 influenza vaccine.

10 (B) To provide for the recruitment and re-  
11 tention of volunteers, including individuals to  
12 maintain and coordinate databases.

13 (C) To carry out capacity building activi-  
14 ties of the Corps, including the development of  
15 partnerships among the Corps, qualifying enti-  
16 ties, and emergency response organizations,  
17 State and local governments, police depart-  
18 ments, fire departments, emergency responders,  
19 nonprofit organizations, and private sector enti-  
20 ties.

21 (D) To carry out other training activities  
22 as determined appropriate by the Secretary.

23 (e) LIABILITY.—A member of the Corps, when per-  
24 forming his or her duties under an activation and assign-  
25 ment by the Secretary under subsection (b) upon a dec-

1 laration by the Secretary of a public health emergency  
2 under section 319 of the Public Health Service Act (42  
3 U.S.C. 247d) shall be deemed a Federal employee for li-  
4 ability purposes. In all other cases, Members of the Corps  
5 are subject to the laws of the State in which the activities  
6 of the Corps are undertaken.

7 (f) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to carry out this section,  
9 \$100,000,000 for fiscal year 2006, and such sums as may  
10 be necessary for each fiscal year thereafter.

11 (g) DEFINITION.—The term “qualified entity” in-  
12 cludes State and local public health departments, Feder-  
13 ally Qualified Health Centers, public and private hospitals,  
14 units of the Medical Reserve Corps, and other entities de-  
15 termined appropriate by the Secretary.

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